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No. 2-21: Employee Safety and Health (Effective Date 1.16.02)

- [FORM A](#) -- Safety and Health Policy Quarterly Report of Accident Prevention Plan Implementation
- [FORM B](#) -- Quarterly Report of Safety Related Activities

1. PURPOSE

To establish and maintain a safe and healthful workplace for city employees in accordance with Texas statutes. These laws include the Texas Workers' Compensation Act. Chapter 411, Section 103, Duty of Employer To Provide Safe Workplace, states: "Each employer shall; (1) provide and maintain employment and a place of employment that is reasonably safe and healthful for employees; (2) install, maintain, and use methods, processes, devices and safeguards, including methods of sanitation and hygiene, that are reasonably necessary to protect the life, health, and safety of the employer's employees; and (3) take all other actions reasonably necessary to make the employment and place of employment safe."

2. OBJECTIVE

To strive for zero tolerance of unsafe acts and unsafe conditions through the development of departmental Accident Prevention Plans.

3. DEFINITIONS

3.1 Accident Prevention Plan - A series of safety initiatives developed by each city department based on the seven components of accident prevention as outlined by the Texas Workers' Compensation Commission (TWCC).

3.2 Department Safety Staff - Department safety personnel or those who have been assigned safety functions.

3.3 Employee - A person in the service of the city.

3.4 Executive Management - City employees at or move pay grade 27 and any elected officials.

3.5 Risk Management Safety Division - The Safety Division of the Human Resources Department with oversight of departmental and city accident prevention services, and compliance with related policies, procedures, ordinances and statutes.

3.6 Supervisor - City employee who supervises one or more employees.

3.7 Tier Two - The report form required by the Texas Hazard Communication Act.

4. SCOPE

This administrative procedure applies to all city employees.

5. POLICY STATEMENT

The Mayor and management of the City of Houston are committed to providing a safe and healthful work environment for all employees. Employees must comply with all safety and health requirements as a condition of employment, whether established by management, federal, state, or local law.

6. RESPONSIBILITIES

The Accident Prevention Plan assigns responsibilities to certain positions as described below.

6.1 Risk Management Safety Division - Shall be responsible for oversight of the accident prevention function within city departments and compliance with City of Houston safety policies, procedures and rules. Responsibilities and activities of the division include, but are not limited to the following:

6.1.1 Assisting departments in the development and/or revision of safety policies and procedures that outline the safety responsibilities of employees, supervisors, departmental safety staff and executive management.

6.1.2 Assisting departments in the development of programs to address safety and health-related concerns.

6.1.3 Coordinating with departments to administer the Hazard Communication (HazCom) program and Tier II reporting. This program includes chemical safety, Material Safety Data Sheet (MSDS) management, training, and chemical inventories. Refer to H.R. 80-09, City of Houston Hazard Communication Program for further information.

6.1.4 Assisting in the development and/or revision of safety committees, both on a citywide and department level.

6.1.5 Providing assistance for safety, health and/or investigative committees as established by departments.

6.1.6 Conducting periodic assessments to determine the safety needs of city departments.

6.1.7 Coordinating the annual safety audit of city departments.

6.1.8 Conducting periodic surveys and follow-up inspections of city facilities and work sites to eliminate workplace risk exposures.

6.1.9 Conducting thorough and methodical post-accident investigations based on analysis of department claims reporting.

6.1.10 Providing periodic review and analysis of department workers' compensation data to monitor trends and aberrations in order to reduce workplace risk exposures and employee accidents.

6.1.11 Interfacing with the claims handling vendor on safety-related concerns identified during the investigation of workers' compensation claims.

6.1.12 Assisting in conducting general and specific training on safety-related topics and concerns of city employees.

6.1.13 Staying informed about local, state and federal safety regulations and advising departments of the pertinent applications.

6.1.14 Attending safety and health training and education classes to improve and maintain proficiency, and to disseminate information to departments.

6.2 Safety and Health Committee - Shall provide guidance to departments to find solutions and develop effective programs addressing identified safety deficiencies.

6.2.1 Committee Responsibilities

6.2.1.1 Monitor overall compliance of this policy.

6.2.1.2 Analyze each department's risk management safety and health quarterly activity report to determine compliance with this policy, and make recommendations on areas of improvement within each department. Forward this information to the Mayor or his designee.

6.2.1.3 Evaluate department executive management and the risk management safety staff compliance with their responsibilities under §6 of this administrative procedure.

6.2.1.4 Review each department's progress with implementation of their Accident Prevention Plan to ensure compliance with the provisions of this administrative procedure. After implementation is complete, the quarterly review will focus on the safety-related activities performed during the quarter. Both reviews are outlined in forms A and B of this order.

6.2.2 Membership - The committee shall consist of eight (8) members. The HR director or designee will coordinate the selection of city employees as detailed below.

6.2.2.1 Chairperson - The HR director or designee will chair the committee and convene all administrative functions of the committee. (Indefinite term)

6.2.2.2 Other Members – One (1) representative from:

6.2.2.2.1 The Mayor's Office at or above pay grade 27 (2-year term).

6.2.2.2.2 Large departments (more than 751 employees) (4-year term).

6.2.2.2.3 Small/medium departments (less than 751 employees) (4-year term).

6.2.2.2.4 The Houston Department of Health and Human Services, to provide expert knowledge in environmental quality issues (3-year term).

6.2.2.2.5 A person from the community with expertise in workplace safety and health program management (3-year term).

6.2.2.2.6 Houston Fire Department (3-year term).

6.2.2.2.7 Houston Police Department (3-year term).

6.2.3 Replacement - Recommendations for replacements will be submitted through the vacating committee member's respective department director to the HR director.

6.2.4 Advisors - The Legal Department and Workers Compensation Third-Party Administrator will advise the committee as needed.

6.2.5 Selection - The HR director or designee will coordinate the selection of city employees as detailed above. The HR director will select community representatives from respondents to local advertising.

6.3 Executive Management - Shall be responsible for allocating the resources needed to promote and implement an Accident Prevention Plan that addresses the department's plan to eliminate accidents and control potential hazards.

6.3.1 Within 90 days of the effective date of this administrative procedure, the department director or designee shall assign appropriate safety staff to initiate development of the plan. Compliance with this administrative procedure should be attained within 36 months of the approval date.

6.3.2 Implement appropriate department safety policies and authorize safety procedures and standards to support the policy. Ensure the current director signs each policy.

6.3.3 Support active participation in safety and health program activities by all staff.

6.3.4 Establish a working environment that ensures employees are free to recognize and report unsafe conditions and unsafe acts without fear of reprisal.

6.3.5 Establish and monitor measurable accident prevention goals and objectives.

6.3.6 Establish a direct line of communication with employees through the safety committee to disseminate safety information and solicit comments, information and assistance.

6.3.7 Submit quarterly progress reports to the Human Resources Department Safety Division on safety related activities of the preceding quarter by the 26th of October, January, April, and July. The report shall be in the format shown in forms A and B of this administrative procedure and shall include supporting documentation for the activities reported. The report also shall serve as an avenue for ongoing monitoring by the Mayor or his designee, on the Accident Prevention Plans and safety-related practices of city departments.

6.3.8 Establish a HazCom program in accordance with H.R. 80-09, Hazard Communication Program. The department director must appoint a HazCom coordinator in writing. This position carries the responsibility of maintenance and management of MSDS information, chemical inventories, Tier II reports, training, and other mandated requirements.

6.4 Department Safety Staff - Shall be responsible for developing the Accident Prevention Plan in accordance with the guidelines set forth by the department director.

6.4.1 Develop and maintain the Texas Workers' Compensation Commission Accident Prevention Plan, Applicable Regulations & Best Practices and Standards Appendix 1) as a standard. The seven components of the plan are as follows:

6.4.1.1 Management

6.4.1.2 Analysis

6.4.1.3 Recordkeeping

6.4.1.4 Training and Education

6.4.1.5 Inspection and Audit

6.4.1.6 Accident Investigation

6.4.1.7 Review and Revision

6.4.2 Develop written safety policies and procedures aimed at reducing lost-time accidents by creating a safe and healthful work environment. Conduct a review of routine tasks performed in the department and identify each associated hazard. Assist managers, supervisors and employees in developing safe work practice guidelines for all operations. Maintain copies of safety procedures in a central location, accessible to each employee. Prepare and submit Forms A & B Quarterly Progress Report, to the department director for review and signature. Forward the report to the Human Resources Department, Safety Division.

6.4.3 Develop a manual that addresses the department's safety and health issues. At a minimum, the Safety Manual must include, but is not limited to:

6.4.3.1 Department Safety Policy and Goals (signed by current Director)

6.4.3.2 Copies of audits and inspections

6.4.3.3 Applicable safety policies and procedures (Confined Space Entry, Personal Protective Equipment, Lock-Out/Tag-Out, etc.)

6.4.3.4 Prescribed safety forms (copies of blank safety forms, mandatory State posters, etc.)

6.4.3.5 A list of facilities and applicable checklists for inspecting those facilities

6.4.3.6 Accident Report Log, reporting procedures, and completed accident report forms outlined in this A.P.

6.4.3.7 A list of applicable safety and health regulations

6.4.3.8 Training requirements and instructions for receiving training (Maintain training records for five years.)

6.4.3.9 Analysis and Trend Data. This data must be used to identify and adjust trends and needs for component changes. At a minimum, perform analysis on audit and

inspection findings, accident reports, and training programs.

6.4.4 Submit safety budget recommendations to Executive Management. Training, Personal Protective Equipment (PPE) acquisition and replacement, books and manuals, and safety equipment requirements are all budget considerations.

6.4.5 Ensure job safety training requirements pertinent to the department are met. All employees must receive job safety training. The following safety training is MANDATORY for City employees:

6.4.5.1 New Employee Orientation - New hires will receive safety training within 30 days. Training will include Fire Extinguisher Operation and Back Injury Prevention.

6.4.5.2 Defensive Driving Course - For employees required to conduct city business while utilizing any motor vehicle. Refer to A.P. 2-2.

6.4.5.3 Hazard Communication - Each city employee will attend the General Program Training with refresher sessions every 3 years. Employees who handle or use chemicals will attend site-specific training annually.

6.4.5.4 Supervisor Safety Course - For supervisory personnel only. Course curriculum will include use of the Accident Prevention Plan and its components as well as other pertinent training. Employees in a permanent supervisory position are required to complete this course within 90 days of assignment as supervisor.

6.4.5.5 Back Injury Prevention Course - The U.S. Department of Labor has determined the nation's number one workplace safety problem is back injuries. Training employees to utilize techniques that place minimum stress on the lower back can significantly reduce these injuries. Each city employee who experiences an on-the-job back injury or reoccurrence of a prior back injury must attend Back Injury Prevention training within 90 days of the injury or within 30 days of return to duty.

6.4.6 Utilize the Workers' Compensation Third Party Administration management information system to identify and monitor workplace exposures and the history of accident trend data.

6.4.7 Develop hazard recognition, reporting and control systems. Conduct periodic internal inspections of all department facilities and activities. Establish the frequency of inspections based on incidents and other trend data. Use applicable checklists to ensure a thorough inspection. Document in writing, all identified hazards, unsafe acts and unsafe equipment. Establish procedures to ensure corrective action is planned and taken. Hazards and conditions that are not abated within 30 days will be followed until corrected. Check for display of mandatory postings such as HazCom, Workers' Compensation, Drug and Alcohol Abuse, TWCC poster and Safety Hotline poster.

6.4.8 Develop internal accident reporting processes. Establish procedures to ensure each accident is reported and promptly investigated. In addition to completing the TWCC forms, accidents must be investigated by the department Safety Staff and/or supervisors. Always obtain the facts from witnesses or others who may know the circumstances while these facts are still fresh in their minds. A standardized form has been developed to record the investigation. Maintain accident reports for (5) years.

6.4.9 Maintain safety and health reference libraries.

6.4.10 Establish the department's safety committee and serve as technical advisor.

6.4.11 Manage and/or monitor the department's HazCom Program, including

maintenance and management of MSDS information as per department organization.

6.4.12 Attend professional safety and health management development conferences and seek professional certifications. Attend safety and health training and education classes as defined within the department's plan including, but not limited to, the seven (7) components of the Accident Prevention Plan.

6.5 Supervisors - Each supervisor shall be responsible for:

6.5.1 Implementing and monitoring safe work practices as developed by department safety staff in accordance with standard industrial classifications.

6.5.2 Consistently applying, monitoring and enforcing existing safety and health rules, methods, procedures, policies and standards. Supervisors provide and replace Personal Protective Equipment (PPE) and are responsible for the wear, use, maintenance, and training in its use.

6.5.3 Ensuring new employees are trained in safety policies and procedures prior to beginning work. Supervisors must ensure employees maintain applicable certifications.

6.5.4 Periodically providing training and refresher courses in safety and health methods, procedures and policies to maintain general awareness.

6.5.5 Immediately reviewing facts and circumstances surrounding accidents to include the mandated reporting and form completion for workers' compensation injuries.

6.5.6 Reporting Near-Miss accidents to the department safety staff and recording on Near-Miss form.

6.5.7 Complying with site-specific training requirements relating to workplace chemicals and the City Hazard Communication Program.

6.5.8 Attending safety and health training and education classes as defined within the department's plan including, but not limited to, the seven (7) components of the Accident Prevention Plan.

6.6 Employees - Shall be responsible for:

6.6.1 Understanding and adhering to all department Accident Prevention Plan policies, procedures and practices.

6.6.2 Using and maintaining PPE and protective clothing when appropriate or required.

6.6.3 Immediately reporting accidents or injuries to the appropriate supervisor. Cooperating with supervisors in compiling facts and circumstances for the investigative report. Assisting supervisors in determining root causes of accidents and corrective actions to prevent recurrence.

6.6.4 Reporting and making suggestions to supervisors or safety staff regarding unsafe work practices or hazardous conditions.

6.6.5 Actively participating in department safety committees and meetings.

6.6.6 Seeking opportunities for additional safety and health education and training. Attending mandatory safety and health education and training courses.

6.6.7 Assisting department safety staff in developing safe job procedures.

7. POLICY COMPLIANCE

7.1 City of Houston employees shall comply with all safety and health requirements mandated by Executive Management and/or by federal, state or local laws.

7.2 Employees who willfully violate this policy or department safety procedures may be subject to disciplinary action appropriate for the offense, up to and including indefinite suspension or termination, in accordance with established departmental policies or procedures. Employees who are disciplined for violations under this administrative procedure shall have all authorized rights afforded to them by the city charter and/or the code of ordinances.

7.3 Failure to provide a safe and healthful workplace could result in costly on-the-job injuries, or potential liability-producing occurrences connected with the City of Houston's activities and functions, or TWCC administrative violations with fines of up to \$5,000 per day and potential referral to the Attorney General of the State of Texas for investigation and/or prosecution.

APPENDIX

The City of Houston is currently subject to the following safety-related regulations and may be cited for administrative penalties and/or civil and criminal prosecution as outlined in each statute.

A. City Policies and Procedures

- Administrative Procedure 2-2 - Motor Vehicle Use
- Human Resources Policy 80-09 - City of Houston Hazard Communication Program
- City of Houston Fire Code (1997 Uniform Fire Code as adopted by the City)

B. Applicable Regulations

Texas Civil Statutes

- Health and Safety Code - Title 5 - Sanitation and Environmental Quality

Subtitle D Hazardous Substances

- Chapter 502 - Hazard Communication Act
- Chapter 506 - Public Employer Community Right-to-Know

Labor Code - Title 5 - Workers' Compensation

Texas Administrative Code - as authorized by Texas Civil Statutes or administrative rules adopted by the state agency having jurisdiction.

- Title 25 - Health Services - Part 1 - Texas Department of Health
- Chapter 253 - Environmental Engineering (US EPA 40 CFR - HAZWOPER)
- Chapter 265 - General Sanitation - Subchapter I - Standards for Public Restroom Facilities

- Chapter 295 - Occupational Health

Subchapter D - Occupational Health Rules and Guidelines

- Sec. 295.101 -Threshold Limit Values of Airborne Contaminants

- Sec. 295.106 - Environmental Standards in Industrial Establishments

Subchapter H - Public Employer Community Right to Know

- Title 28 -Insurance Part 2 Texas Workers' Compensation Commission

- Chapter 164- Hazardous Employer Program

C. Best Practices and Standards

- Under the Uniform Fire Code, whenever feasible, the city will endeavor to use nationally recognized standards of good practice as a guide to attain a reasonable level of safety where specific requirements are not stated.

- Where applicable, the city will endeavor to use the OSHA Standards as guidance in the development of departmental safety practices. Such guidance is not mandatory, but will serve as a strategy for attaining a reasonable level of safety.

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